

Public Procurement at IBCH PAS in 2025

1. The expenditure of public funds must comply with (i) the procedures described in the Public Procurement Regulations of the Institute of Bioorganic Chemistry, Polish Academy of Sciences (IBCH PAS/IBCH PAS) and (ii) the provisions of the Act - Public Procurement Law of September 11, 2019, as amended, hereinafter referred to as the PPL Act. Additionally, in the case of expenditures co-financed from external sources (e.g., EU, WIB, ABM), the procedures required in the funding agreement or resulting from the regulations governing those sources of financing must be followed (e.g., Guidelines on the Eligibility of Expenditures for 2021-2027 (EU), General Principles on the Eligibility of Expenditures for Research Teams Conducting Scientific Activities in the form of a Virtual Research Institute (WIB), Beneficiary's Guide (ABM)).
2. Orders must be executed in a manner that is (i) purposeful, (ii) economical, (iii) ensuring the principle of obtaining the best results from the given expenditures, and (iv) enabling the execution of tasks within the predetermined timeframes and scopes.

I. Orders Not Subject to the PPL Act – Orders Below PLN 130,000 Net: A. For expenditures carried out by the Public Procurement Regulations of the Institute of Bioorganic Chemistry, Polish Academy of Sciences:

- Up to the amount of PLN 50,000 net – the estimated value of the order is determined through market recognition, and must be documented by attaching at least one price offer (printed price lists with dates and, in exceptional cases, official notes documenting discussions (negotiations) with sales representatives, individuals presenting the subject of the order, etc.).
- For amounts ranging between PLN 50,000 and PLN 130,000 net – the estimated value of the order is determined through market recognition²³. It must be documented by attaching at least two price offers (printed price lists with dates and, in exceptional cases, official notes documenting discussions (negotiations) with sales representatives, individuals presenting the subject of the order, etc.). B. For expenditures that are co-financed: a) From the EU funds – procedures described in the "Guidelines on the Eligibility of Expenditures for 2021-2027" must be followed. b) From the Polish Science Fund – procedures described in the General Principles on the Eligibility of Expenditures for Research Teams Conducting Scientific Activities in the form of a Virtual Research Institute (WIB) must be followed. c) From the State Budget via the Medical Research Agency (ABM) – procedures described in the Beneficiary's Guide must be followed.

The method of expenditure described in point B is outlined in separate Instructions on Public Procurement for European projects (FENG: MOSAIC 3D, POLOS, FIRST TEAM), WIB, and ABM. These instructions are available on the Institute's website under the "For Employees" tab, in the Public Procurement section.

Each time, the estimated value of the order must be determined with due diligence, no earlier than three months before the initiation of the procurement procedure for goods or services, and no earlier than six months before the initiation of the procurement procedure for construction works.

II. Orders Subject to the PPL Act – Orders in the amount of PLN 130,000 Net or More:

– The provisions of the Public Procurement Law Act apply.

III. Orders Related to Science – Procurement for Research, Experimental, Scientific, or Development Purposes:

A. For orders below the EU thresholds (PLN 663,105 net), as specified in Article 11(5)(1) of the PPL Act, procurement is carried out in a manner ensuring transparency, equal treatment of interested entities, and consideration of factors influencing the award process*. Pursuant Article 11(5)(1) of the PPL, the Act requires a declaration confirming fulfilling all statutory requirements. The declaration template is included in Annex 4 of the Public Procurement Regulations at IBCH PAS and must be signed by the Principal Investigator or the individual supervising the relevant work package. B. For orders equal to or exceeding the EU thresholds (PLN 663,105 net), as specified in Article 5 of the PPL Act:

1. A procurement announcement is published in the Public Information Bulletin on the IBCH PAS website.
2. The process ensures transparency, equal treatment of interested entities, and consideration of relevant circumstances.
3. Confidential business information is not disclosed if it constitutes a trade secret under unfair competition laws and if the interested entity has requested confidentiality before concluding the procurement contract.
4. Information on the awarded procurement is promptly published in the Public Information Bulletin on the IBCH PAS website, including the name or identity of the awarded entity, or information on non-awarding the procurement. Orders in science cannot be subject to procurement procedures involving commercialization of a part or entirety of a project/grant.

IV. Orders Co-Financed by External Sources (Other than those listed in Section I B):

For procurement procedures, co-financed by external sources, the procedures required in the funding agreement or arising from the regulations governing those funding sources must be followed.

V. Analysis of the Needs and Requirements of the Contracting Authority: For orders equal to or exceeding the EU thresholds (currently PLN 663,105 net), pursuant to Article 83 of the PPL Act, prior to initiating the procurement procedure, the contracting authority must analyze needs and requirements, considering the type and value of the order.

*This means adhering to public procurement principles, such as:

- **Principle of fair competition** – The contracting authority must conduct the procedure legally, ethically, and in the market's interest, ensuring access for multiple bidders and preventing monopolistic practices.
- **Principle of equality** – No entity participating in the procurement procedure may be favored or discriminated against; all must be treated equally, and requirements must be precise and known upon preparing offers.
- **Principle of impartiality and objectivity** – Individuals associated with a bidder cannot participate in the procedure.
- **Principle of transparency** – Information and documents related to the procedure must be publicly accessible (except in specific cases outlined in the PPL Act).
- **Principle of clarity** – The procurement procedure must have clear rules, verification mechanisms, and predetermined criteria guiding the contracting authority's decisions.